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12 Attorneys for United States of America

13 UNITED STATES DISTRICT COURT
14 NORTHERN DISTRICT OF CALIFORNIA

15 UNITED STATES OF AMERICA,
16 Plaintiff,

No. 10-0974 LB

~~[PROPOSED]~~

17 v.
18 APPROXIMATELY \$750,680.00 IN
19 UNITED STATES CURRENCY;
20 APPROXIMATELY \$27,387.00 IN
21 UNITED STATES CURRENCY;
22 \$35,424.80 IN FUNDS FROM CHASE
23 ACCOUNT # 0980; \$6,300.00 IN FUNDS
24 FROM CHASE ACCOUNT #8688

25 CONSENT ORDER OF SETTLEMENT

26 Defendants.

27 CONSENT ORDER OF SETTLEMENT AND FORFEITURE

28 WHEREAS, on March 8, 2010, this action was filed. Notice was given and published in
accordance with law. Claimant Radek Stastny ("claimant") filed a verified claim on April , 2010
as to the defendant APPROXIMATELY \$27,387.00 IN UNITED STATES CURRENCY
(hereinafter known as "defendant currency"). No other statements of interest or answers have
been filed with respect to defendant currency and the time for filing such statements of interest
and answers has expired;

1 WHEREAS, pursuant to the settlement negotiations among the parties, RADEK
2 STASTNY agrees to withdraw his claim with respect to \$20,000.00 of the seized currency in any
3 administrative or judicial forfeiture proceeding;

4 WHEREAS, pursuant to the settlement negotiations among the parties, the United States
5 agrees to release to RADEK STASTNY c/o Douglas Horngrad, his attorney of record, the sum of
6 \$7,387.00 plus interest, less any debt owed to the United States, any agency of the United States,
7 or any other debt in which the United States is authorized to collect.

8 WHEREAS, the parties agree that the United States and RADEK STASTNY will each
9 bear its own attorney costs and fees related to this matter.

10 AND WHEREAS, it appearing to the court from the endorsement of the parties, that the
11 parties have agreed to a resolution of this matter with respect to the defendant currency, and
12 deeming it proper to do so;

13 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED THAT:

14 1. Notice of this action having been given by publication and there being only the claim
15 filed by RADEK STASTNY as to the defendant currency, the default of all persons or entities
16 other than RADEK STASTNY as to the defendant currency is entered.

17 2. A portion of the defendant currency, to wit \$20,000.00 is forfeited to the United States
18 pursuant to 21 U.S.C. § 881(a)(6), free from the claims of any other party.

19 3. A portion of the defendant currency, to wit the sum of \$7,387.00 plus interest, less any
20 debt owed to the United States, any agency of the United States, or any other debt in which the
21 United States is authorized to collect, shall be returned by the United States to RADEK
22 STASTNY c/o Douglas Horngrad, his attorney of record.

23 4. The United States shall dispose of the forfeited currency in accordance with the law.

24 5. RADEK STASTNY hereby releases the United States of America, its agencies, agents,
25 and officers, including employees and agents of the Drug Enforcement Administration,
26 California Highway Patrol, and Marin County Major Crimes Task Force from any and all claims,
27 actions or liabilities arising out of or related to this action, including, without limitation, any
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1 claim for attorney's fees, costs or interest which may be asserted on behalf of the claimant,
2 whether pursuant to 28 U.S.C. § 2465 or otherwise.

3 6. The United States releases RADEK STASTNY from any claims or actions, including
4 that for attorney fees or costs or interest, concerning the seizure and custody of the defendant
5 currency.

6 7. The parties agree that this Consent Order of Settlement is the result of a compromise,
7 and shall not, by any person, at any time or for any purpose be considered an admission of
8 liability or responsibility, or of the truth of any allegation of any party, at any time, for any
9 purpose, in any form or in any amount.

10 8. The parties to this action shall execute any documents necessary or proper to effectuate
11 the terms of this Order.

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13 Dated: October 7, 2011

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THE HONORABLE LAUREL S. BEELER
UNITED STATES MAGISTRATE JUDGE

16 Dated: 9/20, 2011


MELINDA HAAG
United States Attorney

ARVON J. PERLEE
Assistant United States Attorney
Attorneys for Plaintiff

21 Dated: 9/19, 2011

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By: 
DOUGLAS HORNGRAD For
Attorney for Claimant
Radek Stastny
Sam O'Keefe

26 Dated: 09/19, 2011


RADEK STASTNY
Claimant

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